

**NIGHT BOX  
FILED**

**MAR 24 2000**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CLARENCE MADDOX  
CLERK, USDC / SDFL / FTL

UNITED STATES OF AMERICA	)	CASE NO: <u>00-6028-CR-DIMITROULEAS</u>
	)	
Plaintiff,	)	
	)	
v.	)	Magistrate Judge Seltzer
	)	
DAVID TRACY,	)	
	)	
	)	<b>JOINT MOTION FOR CONTINUANCE</b>
Defendants,	)	
	)	
_____	)	

Comes now the United States of America, by and through its undersigned Assistant United States Attorney, and moves this court for a short continuance of the trial in this cause and in support of this motion states as follows:

1. The undersigned Assistant United States Attorney is the assigned prosecutor in this case. The calendar call in this case is set for March 31, 2000, for the trial period commencing April 3, 2000.

2. In February 1999, the undersigned agreed to teach in a trial advocacy program for a government agency in New York City beginning the week of April 10, 1999 and also intended to use part of that week as a vacation. The undersigned is not expected back into the district until Tuesday April 18, 1999.

3. When the undersigned contacted counsel for the defendant to ascertain counsel's position regarding a motion to continue this case, counsel informed the undersigned that he has just finished

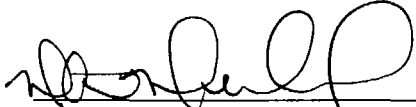


chemotherapy and radiation treatments for cancer. As a result of these treatments, counsel's mouth and larynx have been seriously affected so that counsel finds it impossible to speak for any prolonged period of time. In addition, counsel must use a feeding tube to eat and is still suffering other debilitating side effects from the treatments, such as fatigue. Therefore, counsel for the defendant is also requesting a continuance until at least the middle of May, 2000.

Wherefore the United States and the defendant moves this Court for a continuance of the trial in this cause.

Respectfully Submitted,

THOMAS E. SCOTT  
UNITED STATES ATTORNEY

  
By: MATTHEW MENCHEL  
ASSISTANT UNITED STATES ATTORNEY  
COURT ID NO. A5500407  
500 E. BROWARD BLVD.  
Fort Lauderdale, Florida 33394  
(954) 356-7255

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was forwarded this 24<sup>th</sup> day of March 2000 via facsimile and United States mail to: Steven Kreisberg, Esq., 3250 Mary Street, #400, Coconut Grove, FL 33133.

  
MATTHEW MENCHEL  
ASSISTANT UNITED STATES ATTORNEY